



Attorney Docket No.:

PATENT  
NIH: E-099-89/2  
N&R: 14014.0279

#57  
SJS  
6/18/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	)	
Matsui, et al.	)	Art Unit: 1809
Serial No.: 08/439,095	)	
Filed: May 11, 1995	)	Examiner: Marschel, A.
	)	
For: Type Alpha Platelet Derived Growth	)	
Factor Receptor Gene	)	

Substitute Power of Attorney

RECEIVED

Assistant Commissioner for Patents  
Washington, D.C. 20231

JUN 16 1998

Dear Sir:

GROUP 1800

The United States of America, as represented by the Secretary, Department of Health and Human Services is assignee of the entire right, title, and interest in and to the above-identified application, as shown by the assignments in the grandparent application 07/308,282 recorded on April 12, 1989 at Reel 5069, Frame 0302, in the patent assignment records of the U.S. Patent and Trademark Office. Said assignee hereby revokes all former Powers of Attorney and appoints the following attorneys and agents as its representatives:

James C. Haight, 25,588; Robert Benson, 33,612; Jack Spiegel, 34,477; Susan S. Rucker, 35,762; David R. Sadowski, 32,808; Steven Ferguson, 38,448; John Peter Kim, 38,514; and Stephen L. Finley, 36,357;

all of the National Institutes of Health Office of Technology Transfer, Rockville, MD 20852-3804.

The recorded Assignment referred to in this Substitute Power of Attorney has been reviewed by the undersigned. The undersigned certifies that to the best of the undersigned's knowledge and belief, title is in the assignee.

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for such patent matters under the authority of the Department of Health and Human Services Secretary Louis W. Sullivan's May 21, 1991 memorandum appearing in the Friday, June 7, 1991 Federal Register Notices at Vol. 56, No. 110, pages 26418-26419, a copy of which is attached. The undersigned is authorized to exercise such authority in this matter.

Done this December 29, 1997 at Rockville, Maryland.

Application of: Matsui, et al.  
Filed: May 11, 1995  
Serial No.: 08/430,095

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES

  
\_\_\_\_\_  
Susan S. Rucker, Reg. No. 35,762


for: Maria Freire, Ph.D.  
Director  
Office of Technology Transfer  
National Institutes of Health  
6011 Executive Blvd., Ste. 325  
Rockville, MD 20852-3804  
Telephone: (301) 496-7056

att: pp. 26418-26419 of Federal Register  
Delegation of Authority

**Certificate of Facsimile**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Susan S. Rucker  
\_\_\_\_\_  
Typed name of person signing certification

Signature:   
\_\_\_\_\_  
Date: December 29, 1997



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service  
National Institutes of Health

Office of Technology Transfer  
National Institutes of Health  
6011 Executive Boulevard  
Rockville, MD 20852

April 18, 1997



TO: Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office

FROM: Director, Office of Technology Transfer (OTT)  
National Institutes of Health

SUBJECT: Delegation of Authority for Certain Patent  
Administration and Prosecution Activities

Effective this date and acting under the authority set forth in DHHS Secretary Louis W. Sullivan's May 21, 1991 memorandum appearing in the Friday, June 7, 1991 Federal Register Notices at Volume 56, Number 110, pages 26418-26419 (copy attached), I authorize James C. Haight (Reg. No. 25,588); Gloria H. Richmond (Reg. No. 30,416); Robert Benson (Reg. No. 33,612); Jack Spiegel (Reg. No. 34,477); Susan S. Rucker (Reg. No. 35,762); David R. Sadowski (Reg. No. 32,808); Laurence Hyman (Reg. No. 35,551); Steve Ferguson (Reg. No. 38,448); John Peter Kim (Reg. No. 38,514); Stephen L. Finley (Reg. No. 36,357) and Larry M. Tiffany (40,844) to exercise full authority in United States or International patents or patent applications in which the Government of the United States of America as represented by the Secretary, Department of Health and Human Services is an Applicant or has an ownership interest, with respect to the following activities:

- Signing original, associate, or substitute powers of attorney before the U.S. or International Authorities;
- Signing Request Forms, Demand Forms, and other documents filed in applications before the International Authorities;
- Signing assignee's consent to changes in inventorship;
- Signing papers required from an assignee in connection with an application for Reissue and/or Reexamination of a patent;
- Signing terminal disclaimers including but not limited to terminal disclaimers to obviate obviousness-type double patenting rejections; and
- Signing all documents before the United States Patent and Trademark Office, either as the US National Office or as a designated Receiving Office under the Patent Cooperation Treaty that can be signed by an assignee in patent matters

Maria C. Freire

cc: OTT Staff

# **F.N.B. Corporation, et al; Acquisitions of Companies Engaged in Permissible Nonbanking Activities**

The organizations listed in this notice have applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated for the application or the offices of the Board of Governors not later than June 28, 1991.

**A. Federal Reserve Bank of Cleveland** (John J. Wixted, Jr., Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *F.N.B. Corporation*, Hermitage, Pennsylvania; to acquire Regency Consumer Discount Company, Inc., Scranton, Pennsylvania, and thereby engage in making and acquiring consumer finance loans pursuant to § 225.25(b)(1); and in the sale of credit life, accident, and health insurance pursuant to § 225.25(b)(8) of the Board's Regulation Y.

**B. Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Evergreen Bancshares, Inc.*, Tallahassee, Florida; to establish Evergreen Federal Interim Savings Bank, Tallahassee, Florida (Interim Bank), to acquire certain assets and assume certain liabilities of the Tallahassee, Florida branch office of Anchor Savings Bank, FSB, Hewlett, New York, pursuant to section 4(c)(8) of the Bank Holding Company Act and the Oakar Amendment of FIRREA, and to facilitate the merger of Interim Bank with and into Evergreen's subsidiary bank, Guaranty National Bank of Tallahassee, Tallahassee, Florida.

2. *First State Corporation*, Albany, Georgia; to acquire Randolph Federal Savings & Loan Association, Cuthbert, Georgia (Randolph Federal), pursuant to section 4(c)(8) of the Bank Holding Company Act. Applicant also proposes to merge Randolph Federal with and into its bank subsidiary, First State Bank & Trust Company, Albany, Georgia, pursuant to the Oakar Amendment of FIRREA.

Board of Governors of the Federal Reserve System, June 3, 1991.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 91-13477 Filed 6-8-91; 8:45 am]

BILLING CODE 3210-01-F

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Office of the Secretary**

#### **Office of the General Counsel; Statement of Organization, Functions and Delegations of Authority**

Part A, chapter AG (Office of the General Counsel, Office of the Secretary) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services (38 FR 17033, June 28, 1973, as amended most recently in pertinent part at 55 FR 17500, April 25, 1990), and part H, chapter HN (National Institutes of Health, Public Health Service) (40 FR 22859, May 27, 1975, as amended most recently in pertinent part at 55 FR 35368, August 29, 1990), are amended to:

(1) Delete the Department Patent Officer (AG.35) and transfer patent administration and prosecution responsibilities from this Officer to the Office of Technology Transfer (HNA432), Office of Intramural Affairs (HNA43), Office of Intramural Research (HNA4), Office of the Director (HNA),

National Institutes of Health (HN), Public Health Service (H). Patent administration and prosecution activities will be consolidated with patent licensing functions within a single NIH organizational entity in order to improve program and resource management; and

(2) Retain patent legal services of the Department Patent Officer (AG.35) in the Public Health Division (AG.22.6), Office of the General Counsel, Office of the Secretary, and update the functional statement for the Public Health Division to reflect its responsibilities more accurately.

### **Office of the Secretary**

*Under Chapter AG, Office of the General Counsel, Sections AG.35 (Department Patent Officer) and AG.22.6 (Public Health Division), delete the titles and statements in their entirety and substitute the following:*

*Public Health Division (AG.22.6).* The Public Health Division shall provide legal services, including patent legal services, for programs administered by the Public Health Service (except the Food and Drug Administration), e.g., the Office of the Assistant Secretary for Health, and the agencies and offices of the Public Health Service (other than FDA), including the Office of Technology Transfer and the Patent Policy Board.

### **Public Health Service**

*Under Chapter HN, National Institutes of Health, Section HNA, Office of the Director, Office of Intramural Affairs (HNA43), add the following title and statement:*

*Office of Technology Transfer (HNA432).* (1) Develops policy and procedures for NIH, ADAMHA, and CDC to follow for the implementation of Cooperative Research and Development Agreements (CRADAs), patent licenses, and other technology transfers; (2) implements Patent Policy Board decisions and policies; (3) drafts, negotiates, and periodically revises model forms and agreements; (4) provides advice to ICDs on problem licenses and agreements; (5) develops policy statements on various technology transfer issues such as conflicts of interest; (6) tracks the OTT budget and prepares an annual status report to the NIH Office of the Director; (7) provides coordination and management of goals, functions, and operations of the Technology Management Branch, Technology Licensing Branch, and the Technology Transfer Coordination Branch; (8) coordinates and provides planning and liaison support for

international CRADAs and technology transfers; (9) creates and implements special programs relating to technology transfer by State and local governments and universities; (10) drafts and presents Congressional testimony, and drafts technology transfer-related responses to other Congressional inquiries; (11) provides operational management activities; (12) assists the Office of the General Counsel (OGC) in evaluating patent-related litigation matters; (13) in consultation with OGC and the involved agency component, as appropriate, negotiates settlements on contested matters with licensees or other parties involved with NIH, ADAMHA, and CDC in technology transfer or utilization matters; (14) represents the NIH, ADAMHA, and CDC in technology transfer or utilization matters; (15) represents the above agencies at a variety of professional conferences and other public fora; (16) investigates special issues; (17) evaluates the need for and develops new programs in technology management and technology transfer for the above agencies; (18) develops licensing strategies for NIH/ADAMHA/CDC intramural and CRADA inventions; (19) negotiates licenses and other technology transfers; (20) works with scientist inventors, contract attorneys and others in preparing patent applications and prosecuting these applications at the Patent Office level; (21) handles infringements in consultation with the OGC at the Patent Office level; and (22) makes recommendations to the OGC for referral of matters to the Department of Justice.

Dated: May 21, 1991.

Louis W. Sullivan,

Secretary.

[FR Doc. 91-13483 Filed 6-6-91; 8:45 am]

BILLING CODE 4150-04-M

#### Agency for Health Care Policy and Research; Establishment

Pursuant to the Federal Advisory Committee Act, Public Law 92-463 (5 U.S.C. appendix 2), the Administrator, Agency for Health Care Policy and Research (AHCPR), announces the establishment of the following review committee.

**Designation:** Employer-Based Health Insurance Advisory Committee.

**Purpose:** The purpose of the Committee is to advise and make recommendations to the Secretary, HHS, and the Administrator, AHCPR, with regard to the awarding of a proposed contract designed to provide AHCPR with a comprehensive policy-oriented

report that describes the current status and problems of employer-based health insurance and evaluates options for improving, reforming or replacing this system.

**Function:** The Committee shall review and make recommendations to the Administrator on the scientific and technical merit of proposals received in response to the Request for Proposal entitled Employer-Based Health Insurance.

**Structure:** The Committee shall consist of up to three members, including the Chair, who will serve for the duration of the Committee. No member may be an officer or employee of the Federal Government. Members and Chair shall be selected by the Administrator, AHCPR, from individuals with appropriate expertise and experience in health services research, including but not limited to the areas of health economics, utilization and costs of health insurance, research evaluation and dissemination, and assessment of the impact of the dissemination of research.

Notwithstanding section 14(a) of the Federal Advisory Committee Act, the Committee shall continue in existence until otherwise provided by law or upon a determination by the Administrator, AHCPR, or his delegate, that the purpose of the Committee has been accomplished.

Dated: May 31, 1991.

J. Jarrett Clinton,

Administrator, Agency for Health Care Policy and Research.

[FR Doc. 91-13564 Filed 6-6-91; 8:45 am]

BILLING CODE 4160-90-M

#### Administration for Children and Families

##### Forms Submitted to the Office of Management and Budget for Clearance

The Administration for Children and Families will publish on Fridays information collection packages submitted to the Office of Management and Budget (OMB) for clearance, in compliance with the Paperwork Reduction Act (44 U.S.C. chapter 35). This collection package is being submitted for expedited review in compliance with 5 CFR 1320.18.

(For a copy of a package, call the FSA, Report Clearance Officer 202-401-5604)

Plans for the Child Care and Development Block Grant, Form ACF-118-NEW—The information contained in the Block grant plan is to determine whether the plan can be approved for

Block Grant funding, as required in section 658E(d) of the Budget Reconciliation Act; and to determine if the lead agency is operating in accordance with its plan where issues of compliance arise. **Respondents:** States or local governments; **Number of Respondents:** 255; **Frequency of Response:** Biennially (after initial submittal); **Average Burden per Response:** 50 hours; **Estimated Annual Burden:** 12,750 hours.

**OMB Desk Clearance Officer:** Laura Oliven.

Consideration will be given to comments and suggestions received within 10 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the appropriate OMB Desk Officers designated above at the following address:

OMB Reports Management Branch, New Executive Office Building, room 3201, 725 17th Street, NW., Washington, DC 20503.

Dated: May 31, 1991.

Naomi B. Marr,

Associate Administrator, Office of Management and Information Systems.

#### Draft Plan For The Child Care & Development Block Grant

(Grantee)

for the period \_\_\_\_\_

through \_\_\_\_\_

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Matsui, et al. ) Art Unit: 1809  
Serial Number: 08/439,095 )  
Filed: May 11, 1995 ) Examiner: Marschel, A.  
For: Type  $\alpha$  Platelet-Derived Growth Factor )  
Receptor Gene )  
\_\_\_\_\_ )

Associate Power of Attorney

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned attorney/agent of record, pursuant to the provisions of 37 C.F.R. §1.33 and § 1.34 and M.P.E.P. §402.2, hereby appoints the following as associate attorneys in this application:

William H. Needle, Reg. No. 26,209; Sumner C. Rosenberg, Reg. No. 28,753; David G. Perryman, Reg. No. 33,438; Mitchell A. Katz, Reg. No. 33,919; Gregory J. Kirsch, Reg. No. 35,572; Gwendolyn D. Spratt, Reg. No. 36,016; Clark G. Sullivan, Reg. No. 36,942; Yahn W. Bernier, Reg. No. 38,078; Elizabeth Selby, Reg. No. 38,298; Mary L. Miller, Reg. No. 39,303; Bryan W. Bockhop, Reg. No. 39,613; Kean J. DeCarlo, Reg. No. 39,956; Elket V. Swope, Reg. No. 40,195; Allan G. Altera, Reg. No. 40,274; and J.W. Seanor (Reg. P-40,804)

all of the law firm of NEEDLE & ROSENBERG, P.C., The Candler Bldg., Ste. 1200, 127 Peachtree Street, N.E., Atlanta, GA 30303-1811 as my associates in the above-identified application with full powers.

Please direct all correspondence to:

David G. Perryman  
Needle & Rosenberg, P.C.  
127 Peachtree Street, N.E.  
Atlanta, GA 30303-1811

Please direct all phone calls to Gwendolyn D. Spratt at 404-688-0770

Done this December 29, 1997 at Rockville, Maryland.

**PATENT**

Attorney Docket No. NIH: E-099-89/2  
N&R: 14014.0279

Dated: December 29, 1997

Office of Technology Transfer  
National Institutes of Health  
6011 Executive Blvd., Ste. 325  
Rockville, MD 20852-3804

Phone: (301)496-7056, ext. 245

Fax: (301)402-0220

Respectfully submitted,

S S R

Susan S. Rucker  
Attorney for Applicant(s)  
Reg. No. 35,762

**Certificate of Facsimile**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Susan S. Rucker

Typed name of person signing certification

Signature: S S R

Date: Dec 29 1997